

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5859 of 2022**

Arising Out of PS. Case No.-258 Year-2021 Thana- NAWANAGAR District- Buxar

DIN NATH RAM @ DINANATH RAM @ CHOTU RAM SON OF  
SARVJEET RAM R/O VILLAGE- SONBARSHA, P.S.- NAWANAGAR  
(SONBARSHA O.P.), DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      29-07-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nawanagar P.S. Case no. 258 of 2021 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 15 litres country made wine from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his



conscious possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner has one criminal antecedent of similar nature.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

**(Sunil Kumar Panwar, J)**

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